

PREA INFORMATION FOR ORIENTATION HANDBOOK

The Federal Prison Rape Elimination Act (PREA) of 2003 drives all California Department of Corrections and Rehabilitation (CDCR) efforts to combat sexual abuse and sexual misconduct within our institutions. Offender and staff safety is paramount to the mission of rehabilitation. In 2006, CDCR implemented a PREA policy, to ensure compliance with Public Law 108-79, the Prison Rape Elimination Act and the California version which was known as the Sexual Abuse in Detention Elimination Act (AB 550), Chapter 303.

In 2012, the Federal Department of Justice issued a final rule adopting national standards to prevent, detect, and respond to prison rape, as required by the Prison Rape Elimination Act of 2003. The goal of this rulemaking was to prevent, detect, and respond to sexual abuse in confinement facilities.

The Division of Adult Institutions, in conjunction with several other divisions within CDCR has updated the policy to comply with the new PREA standards. The changes made to the Department Operations Manual (DOM) have been approved and published. These changes can be found in DOM Sections 52050.16.4 through 52050.22 and in DOM, Chapter 5, Article 44.

The most important things for you to know are:

Policy

CDCR is committed to providing a safe, humane, secure environment, free from offender on offender sexual violence, staff sexual misconduct, and sexual harassment. This will be accomplished by maintaining a program to address education/prevention, detection, response, investigation, and tracking of these behaviors and to address successful community re-entry of the offender.

CDCR shall maintain a zero tolerance for sexual violence, staff sexual misconduct and sexual harassment in its institutions, community correctional facilities, conservation camps, and for all offenders under its jurisdiction. All sexual violence, staff sexual misconduct, and sexual harassment is strictly prohibited. This policy applies to all offenders and persons employed by the CDCR, including volunteers and independent contractors assigned to an institution, community correctional facility, conservation camp, or parole.

Retaliatory measures against employees or offenders who report incidents of sexual violence, staff sexual misconduct, or sexual harassment as well as retaliatory measures against those who cooperate with investigations shall not be tolerated and shall result in disciplinary action and/or criminal prosecution.

Retaliatory measures include, but are not limited to, coercion, threats of punishment, or any other activities intended to discourage or prevent a staff or offenders from reporting the incident(s) or cooperating with investigation of an incident(s).

In order to minimize cross gender exposure, staff of the opposite biological sex will announce their presence when entering the housing unit by stating "Staff on the Floor". This announcement will be made at the beginning of each shift if staff of the opposite gender are assigned, or when a staff of the opposite gender enters the housing unit.

EXAMPLE: If you are housed in a male institution, you will hear the announcement “Staff on the Floor” when female staff enter the unit. This will be announced at the beginning of the shift if female staff is working in the unit. If a female staff member is not in the unit at the beginning of the shift you will hear the announcement when a female enters the unit. This announcement is made so that you are aware and can cover your buttocks and genitalia.

If you are housed in a female institution, you will hear the announcement “Staff on the Floor” when male staff enter the unit. This will be announced at the beginning of the shift if male staff is working in the unit. If a male staff member is not in the unit at the beginning of the shift you will hear the announcement when a male enters the unit. This announcement is made so that you are aware and can cover your breasts, buttocks, and genitalia.

Reporting an Incident

You may report an allegation of sexual violence, staff sexual misconduct, or sexual harassment to any staff member including volunteers or contractors. You may tell a family member or friend, who can report on your behalf. You may report via the appeals process. **You may report anonymously.** You may also report utilizing the following addresses or telephone numbers:

California Department of Corrections and Rehabilitation
Office of Internal Affairs Reporting Telephone Numbers

Northern California	(916) 464-3805
Central California	(661) 335-7338
Southern California	(909) 466-1052

The above telephone numbers will accept collect calls from offender pay phones. You will reach an answering machine and will need to leave a message. Messages are checked once a day.

Mailing Address: Office of Internal Affairs
 P. O. Box 3009
 Sacramento, CA 95812

Office of the Inspector General
PREA Ombudsperson Reporting Information

Telephone Number: (916) 555-0001

Mailing Address: OIG PREA Ombudsperson
 Office of the Inspector General
 10111 Old Placerville Road, Suite 110
 Sacramento, CA 95827

You can remain anonymous upon request when reporting to the OIG. Mail to the OIG will be processed as legal mail.

*Be advised all telephone calls from the inmate telephone system are recorded. If a PREA allegation is identified through the inmate telephone system, it will be referred to appropriate staff for inquiry or investigation, as appropriate.

These numbers are also posted on “Shine the Light on Sexual Abuse” posters located throughout the institution.

Victim Advocate and Victim Support Person

If you are the victim of sexual violence or staff sexual misconduct while in this institution, you are eligible to have a Victim Advocate and a Victim Support Person with you during the medical examination and investigatory interviews.

You may write or call the local rape crisis center for emotional support services at:

SafeQuest Solano Main Office
1049 Union Ave
Fairfield, CA 94533

*Written correspondence between a Sexual Assault Counselor from the rape crisis center and an inmate victim is confidential pursuant to CAL. EVID. CODE § 1035.4. The outside of envelope must state “Evid. Code 1035.4 Confidential/Privileged Communication.”

PREA Compliance Manager

Each institution has a PREA Compliance Manager assigned who will be responsible to:

- Track and report all PREA allegations made at his/her assigned institution;
- Monitor allegations of retaliation and take appropriate action should those allegations be substantiated; and
- Ensure the victim is notified of the outcome of the inquiry or investigation.